

Senate Bill No. 1121

Passed the Senate June 3, 2010

Secretary of the Senate

Passed the Assembly July 1, 2010

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 554 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1121, Florez. Overtime wages: agricultural workers.

Existing law sets wage and hour requirements for employees and requires an employer to pay overtime wages as specified to an employee who works in excess of a workday or workweek, as defined. Existing law exempts agricultural employees from these requirements.

This bill would remove the exemption for agricultural employees.

The people of the State of California do enact as follows:

SECTION 1. Section 554 of the Labor Code is amended to read:

554. (a) Sections 551 and 552 do not apply to cases of emergency or to work performed in the protection of life or property from loss or destruction, or to any common carrier engaged in or connected with the movement of trains. Nothing in this chapter shall be construed to prevent an accumulation of days of rest when the nature of the employment reasonably requires that the employee work seven or more consecutive days, if in each calendar month the employee receives days of rest equivalent to one day's rest in seven. The requirement respecting the equivalent of one day's rest in seven shall apply, notwithstanding the other provisions of this chapter relating to collective bargaining agreements, where the employer and a labor organization representing employees of the employer have entered into a valid collective bargaining agreement respecting the hours of work of the employees, unless the agreement expressly provides otherwise.

(b) In addition to the exceptions specified in subdivision (a), the Chief of the Division of Labor Standards Enforcement may, when in his or her judgment hardship will result, exempt any employer or employees from the provisions of Sections 551 and 552.

Approved _____, 2010

Governor